

MONDAY, FEBRUARY 16, 1987

EIGHTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Reverend John Lee Taylor, West Jackson Baptist Church, Jackson, Tennessee.

Representative Tankersley led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 94

Representatives present were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--94.

The Speaker announced that Representative Jackson was excused because of illness.

The Speaker announced that Representative Peroulas was excused because of illness in the family.

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The Speaker announced that Representative Bewley was excused because of prior business commitment.

The Speaker announced that Representative Turner (Hamilton) was excused.

The Speaker announced that Representative Williams was excused because of speech.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 71 and 72; both for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 71 and 72.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 20, 21, 23, 24, 25, 26, 30, 31, 50 and 57; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 20, 21, 23, 24, 25, 26, 30, 31, 50 and 57.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 4 and 5; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Resolutions Nos. 4 and 5.

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CORRECTION TO THE JOURNAL

Mr. Speaker Murray announced that House Bill No. 300 was referred to the Committee on Agriculture.

CONSENT CALENDAR

House Joint Resolution No. 44--Recognize Womens Day Club.

House Joint Resolution No. 45--Congratulating Anthony Grigsby.

House Bill No. 129--Greene County Road Commissioners.

House Bill No. 155--Williamson County Clerk.

House Bill No. 332--White County Probate Court.

House Bill No. 333--White County Highway Commissioner.

Mr. Phillips moved that all House Bills on the Consent Calendar be passed on third and final consideration, all House Joint Resolutions on the Consent Calendar be adopted, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--93.

A motion to reconsider was tabled.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 6--Congratulating Mr. Lawrence Walls and Ms. Deressa Wilson--By King.

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Under the rules, House Resolution No. 6 was referred to the Committee on Calendar and Rules.

House Resolution No. 7--Honoring Willie B. Johnson--By Turner (Hamilton).

Under the rules, House Resolution No. 7 was referred to the Committee on Calendar and Rules.

Mr. Long moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 49 out of order, which motion prevailed.

House Joint Resolution No. 49--Honoring Suzannah Pogue--By Long.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Long, the resolution was adopted.

A motion to reconsider was tabled.

Mr. King moved that the rules be suspended for the purpose of considering House Resolution No. 6 out of order, which motion prevailed.

Mr. King moved that House Resolution No. 6 be recalled from Calendar and Rules, which motion prevailed.

House Resolution No. 6--Congratulating Mr. Lawrence Walls and Ms. Deressa Wilson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. King, the resolution was adopted.

A motion to reconsider was tabled.

INTRODUCTION OF BILLS

House Bill No. 523--Governing nutrition incompetent patients--By Drew, Buck, King and Ellis.

Passed first consideration.

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House Bill No. 524--Disability and retirement--By Crain, Stallings, Davis (Gibson), Naifeh, Wheeler, Ridgeway, Holt, Shirley and Curlee.

Passed first consideration.

House Bill No. 525--Commercial solicitation by telephone--By Clark.

Passed first consideration.

House Bill No. 526--Sales by school children tax exempt--By Coffee and Wheeler.

Passed first consideration.

House Bill No. 527--State programs health and environment--By Stallings.

Passed first consideration.

House Bill No. 528--Railroad track materials tax exempt--By Copeland.

Passed first consideration.

House Bill No. 529--Fabricators steel products--By Rhinehart.

Passed first consideration.

House Bill No. 530--Felony conviction copies--By Buck and Naifeh.

Passed first consideration.

House Bill No. 531--Creditable military service--By Coffey.

Passed first consideration.

House Bill No. 532--Transfer duties, Clerk--By Hurley.

Passed first consideration.

House Bill No. 533--Insurance--By Kernell.

Passed first consideration.

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House Bill No. 534--Retirement credit military service--By Wheeler.

Passed first consideration.

House Bill No. 535--Scenic Highway Pellissippi Parkway--By May, Peroulas and Swann.

Passed first consideration.

House Bill No. 536--Registration motor vehicles--By Henry and Holcomb.

Passed first consideration.

House Bill No. 537--Collection state and local taxes--By Kernell.

Passed first consideration.

House Bill No. 538--Absentee voting--By Miller.

Passed first consideration.

House Bill No. 539--Maternal, infant and child health--By DeBerry, Pruitt, Duer, Peroulas, Bivens, Garrett, Turner (Hamilton), Williams, Gaia, Starnes, Bushing, Montgomery and Robinson (Washington).

Passed first consideration.

House Bill No. 540--Controlled substances--By Tanner, Naifeh, DeBerry and Ridgeway.

Passed first consideration.

House Bill No. 541--Compensation district attorneys general--By Rhinehart.

Passed first consideration.

House Bill No. 542--Exemption from execution or garnishment--By Rhinehart.

Passed first consideration.

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House Bill No. 543--Inspection of jails--By Curlee.

Passed first consideration.

House Bill No. 544--Elk Regional Resource Authority--By Curlee.

Passed first consideration.

House Bill No. 545--Elk Regional Resource waste removal--By Curlee.

Passed first consideration.

House Bill No. 546--Absentee voting--By Curlee.

Passed first consideration.

House Bill No. 547--All-Terrain Vehicle Safety Act--By Curlee.

Passed first consideration.

House Bill No. 548--Private security services--By Curlee.

Passed first consideration.

House Bill No. 549--Calculation of apportionment factor--By Bivens, Tanner and Naifeh.

Passed first consideration.

House Bill No. 550--County court fees--By Napier, Jared, Davidson and Huskey.

Passed first consideration.

House Bill No. 551--Compensation of county officials--By Bragg and Huskey.

Passed first consideration.

House Bill No. 552--Alteration manufacturers marks--By Kernell.

Passed first consideration.

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House Bill No. 553--ERISA covered employee plan--By Moore (Shelby), Phillips, Hurley, Severance and Webb.

Passed first consideration.

House Bill No. 554--ERISA covered employee plan--By Moore (Shelby), Starnes, Odom, Phillips, Hurley, Severance, Webb, McAfee, Kent, Tanner, Ellis, Turner (Hamilton), Burnett, Hassell, Miller and Davidson.

Passed first consideration.

House Bill No. 555--Change projects financed from proceeds of bonds--By Bragg and Rhinehart.

Passed first consideration.

House Bill No. 556--LEAs--By Bragg, and Rhinehart.

Passed first consideration.

House Bill No. 557--Local Government Public Obligations Act--By Bragg and Rhinehart.

Passed first consideration.

House Bill No. 558--Trust Company--By King.

Passed first consideration.

House Bill No. 559--Jury service--By Cross, Tanner and Turner, C. (Shelby).

Passed first consideration.

House Bill No. 560--Wetlands Acquisition Fund--By Byrd.

Passed first consideration.

House Bill No. 561--Wetlands Acquisition Fund--By Byrd.

Passed first consideration.

House Bill No. 562--Claims against the state--By Burnett.

Passed first consideration.

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House Bill No. 563--Unclaimed property agent--By Rhinehart.

Passed first consideration.

House Bill No. 564--Retired Teacher Insurance Act--By Rhinehart.

Passed first consideration.

House Bill No. 565--Longevity pay, state employees--By Cross and Hillis.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 452--Inspection public utilities.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 453--Licenses beer and wine.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 454--Commercial musselers.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 455--Admission to practice law.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 456--Expenses of certain judges.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 457--Communication psychiatrists and patients.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 458--Practice of psychiatry.

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Passed second consideration and referred to Committee on General Welfare.

House Bill No. 459--Travel expenses board of law examiners.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 460--Public Defender Pilot Project.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 461--Responsibility for food operations in school.

Passed second consideration and referred to Committee on Education.

House Bill No. 462--Business taxation personal property.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 463--Fire protection outside corporate limits.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 464--Safe Dams Act.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 465--Subsurface sewage disposal systems.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 466--Substance abuse education.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 467--Inspection of certain boilers.

Passed second consideration and referred to Committee on Labor and Consumer Affairs.

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House Bill No. 468--Financial Planning Act.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 469--Airport authorities.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 470--Taxation certain vendors.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 471--Investment advisors.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 472--Tourist accommodation tax.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 473--Remedy discriminatory action.

Passed second consideration and referred to Committee on State and local Government.

House Bill No. 474--Incentive grants.

Passed second consideration and referred to Committee on Education.

House Bill No. 475--Credit line deeds of trust.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 476--Motor vehicle storage and towing liens.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 477--Provide for issuance of multiple executions.

Passed second consideration and referred to Committee on Judiciary.

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House Bill No. 478--Duties of local board of education.

Passed second consideration and referred to Committee on Education.

House Bill No. 479--Impact fees new land development.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 480--Exempt telephone service from sales tax.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 481--Parking privileges handicapped persons.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 482--Use of pesticides.

Passed second consideration and referred to Committee on Agriculture.

House Bill No. 483--Mental health procedures certain counties.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 484--Mechanics' and materialsmen's liens.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 485--Exempt property from Sales Tax.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 486--Annexation municipalities own initiative.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 487--Funding improving Highway 19-E.

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Passed second consideration and referred to Committee on Transportation.

House Bill No. 488--Kindergarten education.

Passed second consideration and referred to Committee on Education.

House Bill No. 489--Child pornography.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 490--Valuation agricultural, forest and open space land.

Passed second consideration and referred to Committee on Agriculture.

House Bill No. 491--Truth Sentencing Law.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 492--Unfair trade practices.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 493--Funding Municipal Technical Advisory Service.

Passed second consideration and referred to Committee on Education.

House Bill No. 494--Physically handicapped persons.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 495--Licensed residential homes for the aged.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 496--Trapping wild animals.

Passed second consideration and referred to Committee on Conservation and Environment.

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House Bill No. 497--Appointment public defenders.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 498--Reelfoot Lake Regional Utility.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 499--Mining laws.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 500--Public building authorities.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 501--Public building authorities.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 502--Charter and by-laws of banks.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 503--Compensation for sheriffs.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 504--Insurance policies.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 505--Powers of credit unions.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 506--Class size reduction.

Passed second consideration and referred to Committee on Education.

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House Bill No. 507--Local government officials designee.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 508--Shareholder rights.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 509--Alternate method selection county school board members.

Passed second consideration and referred to Committee on Education.

House Bill No. 510--Emergency Communications Districts.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 511--School board budgets.

Passed second consideration and referred to Committee on Education.

House Bill No. 512--Retirement law definition.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 513--Veterinary medical examiners.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 514--Veterinarians.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 515--Private educational loan.

Passed second consideration and referred to Committee on Education.

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House Bill No. 516--Expands coverage by TCRS.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 517--Energy production.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 518--Exempt certain officers carrying weapons.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 519--Definition of police officer.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 520--Employment security officers.

Passed second consideration and referred to Committee on Education.

House Bill No. 521--Amend TCA, Title 47, Chapter 9.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 522--Nursing Home Quality Care Incentive Act.

Passed second consideration and referred to Committee on General Welfare.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill,

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Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--95.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 1, 5, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 23, 24, 27, 28, 29, 30, 31 and 49; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 23--Hobbs

House Bill No. 487--Hawkins

House Bill No. 598--Turner, C. (Shelby)

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 48, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 3, 18, 68, 69, 71, 72, 167 and 171.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Wednesday, February 18, 1987: House Resolution No. 7; House Bills Nos. 3, 18, 68, 69, 71, 72, 167 and 171.

PHILLIPS, Chairman.

On motion of Mr. Naifeh the House adjourned until 2:00 p.m., Wednesday, February 18, 1987.